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January 15, 2009

TO: Clerks of Court

FROM:  Dana Reiding, Chief  
Bureau of Records  
Division of Driver Licenses

RE: Reporting of Toll Violation Dispositions

We recently determined that some dispositions for toll violation are being reported incorrectly. To clarify, prior to October 2007, a person could elect to pay a fine to the Clerk of Court, in which case adjudication was withheld and no points were assessed. The dispositions were submitted to the Department as a "Verdict C." This option can no longer be used; verdict C is no longer a valid disposition for a toll violation.

"Verdict D" (Plea of Nolo Contendere and proof of compliance) also must not be used for toll violation convictions. Statutes for which "Verdict D" may be used are clearly outlined in F. S. 318.14(10)(a) and violations of 316.1001 are not included.

If the toll violator:

- pays the penalty, please submit a disposition code of '4'. The driver record will reflect a conviction and three points will be assessed.
- requests a court hearing and the judge withholds adjudication, please submit a disposition code of 'A'. The driver record will reflect adjudication withheld and no points will be assessed.
- requests a court hearing and is adjudicated guilty, please submit a disposition code of '1'. The driver record will reflect a conviction and three points will be assessed.

Florida law does not offer school election in lieu of points for toll violations. Please visit our web site at [www.flhsmv.gov/courts](http://www.flhsmv.gov/courts) for other reference materials, including a legal opinion on school election for toll violations. If you have any questions, please email [court-assist@flhsmv.gov](mailto:court-assist@flhsmv.gov) or call Alicia Armstrong at (850) 617-2571.